

### **REMARKS**

Responsive to the Office Action mailed October 26, 2006 and the Advisory Action mailed January 18, 2007, Applicants provide the following. The claims 16 and 52 have been cancelled. Therefore, twelve (12) claims remain pending in the application: Claims 13-15 and 17-25. Reconsideration of claims 13-15 and 17-25 in view of the amendments above and remarks below is respectfully requested.

Initially, Applicants acknowledge with appreciation the Examiner's willingness to take part in the telephonic interview on February 22, 2007.

By way of this amendment, Applicants have made a diligent effort to place the claims in condition for allowance. However, should there remain any outstanding issues that require adverse action, it is respectfully requested that the Examiner telephone Thomas F. Lebens at (858) 552-1311 so that such issues may be resolved as expeditiously as possible.

### **Summary of Applicant Initiated Examiner Interview**

1. Per 37 CFR § 133(b), the following is a brief summary of the Examiner interview conducted February 22, 2007 via telephone between Steven M. Freeland, Attorney of Record, and Examiner Michelle Clement. Claims 13-25 and 52 were discussed. Specifically, claims 13-25 were discussed regarding the statements made in the previous response demonstrating that the subject application and the cited Vasel et al. patent (U.S. Patent No. 6,543,365) were owned by the same person or subject to an obligation of assignment to the same person, and thus could not be applied as a reference under 35 U.S.C. §103(a) according to 35 U.S.C. §103(c). Examiner Clement agreed and stated that she would issue a new Advisory Action clarifying that the rejections of claims 13-25 under 35 U.S.C. §103(a) has been withdrawn.

Claims 16 and 52 were further discussed in clarifying that these claims are still rejected under 35 U.S.C. §102(b), and that the finality of the rejection was being maintained. Examiner Clement further agreed that should claims 16 and 52 be cancelled, the finality of the

office action would be withdrawn and the application would be allowed or a subsequent non-final office action would be issued.

There was no further discussion regarding the applied references or the claims. Further, there were no exhibits presented.

**Claim Rejections - 35 U.S.C. §102**

2. Claim 16 stands rejected under 35 U.S.C. § 102(b), as being anticipated by U.S. Patent No. 4,448,106 (Knapp); and claim 52 stands rejected under 35 U.S.C. § 102(b), as being anticipated by either U.S. Patent No. 4,448,106 (Riffet) or U.S. Patent No. 2,112,758 (Blacker). Applicants respectfully traverse these rejections as the applied references fail to teach each limitation as recited in claims 16 and 52. Claims 16 and 52, however, have been cancelled.

The cancellation of these claims should not represent a surrender of subject matter and Applicants specifically preserve the right to present these or other claims in the subject application or in a continuation application.

**Claim Rejections - 35 U.S.C. §103**

3. Claims 13-25 were rejected under 35 U.S.C. § 103(a), as being unpatentable over U.S. Patent No. 6,543,365 (Vasel et al.) in view of U.S. Patent No. 5,361,700 (Carbone).

Examiner Clement stated during the Examiner Interview of February 22, 2007, that Applicants have demonstrated that the claimed invention and the subject matter of the Vasel patent were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person, and thus, the rejections of claims 13-25 under 35 U.S.C. § 103(a) have been overcome.

Because claims 16 and 52 have been cancelled, Applicants submit that no further rejections are pending in the subject application. As such, Applicants respectfully request the finality of the rejection be withdrawn and a notice of allowance be issued.

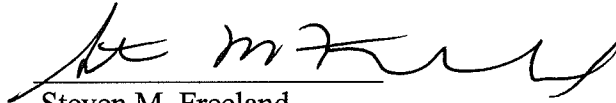
**CONCLUSION**

Applicants submit that the above amendments and remarks place the pending claims in a condition for allowance. Therefore, a Notice of Allowance is respectfully requested.

Respectfully submitted,

Dated:

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